

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JEANINE CASTAGNA, et al., : 04 Civ. 0463 (JBW)

Plaintiffs, : **STIPULATION DISCONTINUING**
 : **ACTION AGAINST ABBOTT**
- against - : **LABORATORIES WITH**
 : **PREJUDICE**
THE ABBOTT LABORATORIES, et al., :

Defendants. :
-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff Jeanine Castagna and defendant Abbott Laboratories ("Abbott") in the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, the above-entitled action as to plaintiff Jeanine Castagna be, and the same hereby is discontinued with prejudice as against Abbott without costs to either party hereto as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York

March
August 30, 2004

BENEDICT P. MORELLI &
ASSOCIATES

PATTERSON, BELKNAP, WEBB &
TYLER LLP

By: Benedict P. Morelli
Benedict P. Morelli (BPM-6597)
Attorneys for Plaintiff
950 Third Avenue
New York, New York 10022
Telephone: (212) 751-9800

By: Robert D. Wilson, Jr.
Robert D. Wilson, Jr. (RDW-4357)
Attorneys for Defendant
Abbott Laboratories
1133 Avenue of the Americas
New York, New York 10036
Telephone: (212) 336-2000

SO ORDERED:

HON. JACK B. WEINSTEIN